

**COURT OF CHANCERY
OF THE
STATE OF DELAWARE**

KATHALEEN ST. JUDE MCCORMICK
CHANCELLOR

LEONARD L. WILLIAMS JUSTICE CENTER
500 N. KING STREET, SUITE 11400
WILMINGTON, DELAWARE 19801-3734

October 13, 2022

Michael Hanrahan, Esquire
Samuel L. Closic, Esquire
John G. Day, Esquire
Robert B. Lackey, Esquire
Prickett, Jones & Elliott, P.A.
1310 N. King Street
Wilmington, Delaware 19801

Edward B. Micheletti, Esquire
Lauren N. Rosenello, Esquire
Ryan M. Lindsay, Esquire
Skadden, Arps, Slate, Meagher & Flom LLP
One Rodney Square
Wilmington, DE 19899

Re: *Luigi Crispo v. Elon R. Musk et al.*,
C.A. No. 2022-0666-KSJM

Dear Counsel:

On October 10, 2022, Plaintiff Luigi Crispo filed a Motion for Judicial Notice of statements made by Defendants Elon R. Musk, X Holdings I, Inc., and X Holdings II, Inc. (“Defendants”) in *Twitter Inc. v. Elon R. Musk, et al.*, C.A. No. 2022-0613-KSJM.¹ The following day, I issued a Memorandum Opinion largely granting Defendants’ Motion to Dismiss² while identifying one area that warranted supplemental briefing.³

I believe that my decision on Defendants’ Motion to Dismiss rendered Plaintiff’s Motion for Judicial Notice largely moot. If Plaintiff believes that his Motion for Judicial Notice is not moot, he may advance those arguments in the supplemental briefing requested in my October 11 decision.

¹ C.A. No. 2022-0666-KSJM, Docket (“Dkt.”) 40.

² See Dkt. 15, 18, 25, and 35.

³ Dkt. 41.

C.A. No. 2022-0666-KSJM
October 13, 2022
Page 2 of 2

Sincerely,

/s/ Kathaleen St. Jude McCormick

Kathaleen St. Jude McCormick
Chancellor

cc: Counsel of Record (by *File&ServiceXpress*)